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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11

12 ALAN SUKIN,

13 Plaintiff,

14 v.

15 STATE FARM MUTUAL AUTOMOBILE  
16 INSURANCE COMPANY, THE  
17 COMMISSIONER OF THE CALIFORNIA  
DEPARTMENT OF INSURANCE and  
DOES 1 – 20, inclusive,

18 Defendants.  
19  
20  
21  
22

) **Case No.: C 07 2829 VRW (E-FILING)**

) **DECLARATION OF PLAINTIFF ALAN**  
) **SUKIN IN SUPPORT OF PLAINTIFF ALAN**  
) **SUKIN'S MOTION TO REMAND BACK**  
) **TO STATE COURT**

) **DATE : Thursday, August 16, 2007**

) **TIME : 2:00 P.M.**

) **PLACE: Courtroom 6, 17<sup>th</sup> Floor**

) **[Filed concurrently with Plaintiff's Notice of**  
) **Motion and Motion to Remand; Declarations;**  
) **[Proposed] Order]**

) **TRIAL DATE: NONE SET**  
)  
)

23  
24 I, ALAN SUKIN, hereby declare:

25 1. I am the Plaintiff in the instant action. I have personal knowledge of the facts  
26 stated herein and, if called to testify I could and would so testify.  
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1           2.       I have never received by mail or otherwise any document or writing of any kind from the  
2 California Department of Insurance or the Commissioner of the California Department of Insurance relating to the  
3 approval of insurance policy provisions or relating to any other matter of any kind.

4           I declare under penalty of perjury that the foregoing is true and correct. Executed this 2<sup>nd</sup>  
5 day of July, 2007, at Folsom, California.

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10 ALAN SUKIN

**PROOF OF SERVICE***Alan Sukin v. State Farm Mutual Automobile Insurance Company, et al.**U.S. District Court, Northern District of California, Case No. C07- 07-2829 VRW*

I am a resident of the State of California, over the age of eighteen years and not a party to this action. My business address is 1050 Battery Street, San Francisco, California 94111. On July 2, 2007, I will serve the following documents:

DECLARATION OF BENNETT M. COHEN IN SUPPORT OF PLAINTIFF ALAN  
SUKIN'S MOTION TO REMAND BACK TO STATE COURT

in the manner as provided by Rule 5(b) of the Federal Rules of Civil Procedure by placing a true copy of the document(s) listed above, enclosed in a sealed envelope, addressed as set forth below, for collection and mailing on the date and at the business address shown above following our ordinary business practices. I am readily familiar with this business practice for collection and processing of correspondence for mailing with the United States Postal Service. On the same day that a sealed envelope is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid. I am employed in the county where the mailing described below occurred, and am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. I placed a true copy of the specified document(s) in a sealed envelope(s) with postage thereon fully prepaid. The envelope(s) will be deposited with the United States Postal Service on this day in the ordinary course of business in San Francisco, California.

**FOR DEFENDANT STATE FARM  
MUTUAL AUTOMOBILE INSURANCE  
COMPANY:**

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**COMMISSIONER FOR THE CALIFORNIA  
DEPARTMENT OF INSURANCE**

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**(X) (FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed at San Francisco, California, on July 2, 2007.

  
Mary M. Martin